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HOUSING INSTABILITY IN MARION COUNTY EVICTIONS BEFORE & DURING COVID-19

The COVID-19 pandemic has highlighted housing instability as a major public health issue. Some of the primary measures used to curb the spread of COVID-19, such as shelter-in-place orders and physical distancing requirements, depend upon having access to private spaces and—in particular—safe and stable housing. Meanwhile, a recent estimate from New America found that more than 5 million people in the United States experience eviction or foreclosure each year.¹ The CARES Act, which was passed in March 2020 in response to the COVID-19 pandemic, included a 120-day eviction moratorium that applied to all federally funded housing. Indiana also enacted a broader eviction moratorium which ended on August 14, 2020. When the first federal moratorium expired, the Trump administration cited public health concerns and announced a subsequent eviction moratorium through the Centers for Disease Control and Prevention (CDC). In January 2021, the new Biden administration extended the eviction moratorium as one of its first acts. While these measures have offered some relief, there is still a predicted wave of evictions on the horizon, especially for those not living in federally funded housing.²

Unfortunately, for a variety of reasons, accurate data on evictions is not consistently available. Local data sources on judicial proceedings are often difficult to access, incomplete, or functionally unavailable (e.g., behind a paywall). Additionally, records that are available and accessible via public records requests typically only tell a partial story. They rarely include individual-level information about renters, such as race and ethnicity or economic standing. Moreover, public records only show the outcomes of formal judicial proceedings. Those official counts do not provide a complete picture of housing instability, a process that often takes place informally and outside of the court system. For example, shared living arrangements sometimes end

KEY FINDINGS

- During the past 10 years, at least 28 percent of eviction filings in Marion County resulted in an eviction.
- Eviction filings in 2020 have been much lower than in previous years, likely the direct result of COVID-19 moratoriums.
- The burden from evictions is not shared equally in Marion County: nearly two-thirds of majority-minority census tracts experience high levels of eviction filings.
- Black and Hispanic/Latinx minority communities experience significantly higher rates of both eviction filings and evictions.
- A lack of timely, accurate, and easily accessible data poses a challenge for research on housing instability in Marion County.

involuntarily, but leave no paper trail. Similarly, a landlord may change the locks on a tenant. While data from these informal evictions may not be reflected in official tallies, they still contribute to housing instability.

With an eye to the predicted wave of evictions, this brief examines the recent history of evictions in Marion County, Indiana. We provide a baseline assessment of the pre-pandemic status quo of evictions, as well as an assessment of the gaps in data and their implications for how trends in evictions are interpreted locally.

FINDINGS

EVICTIION TRENDS

Eviction filings in Marion County have increased during the past several years, reaching a peak of slightly less than 3,000 filings per month during the second half of 2018 (Figure 1). Eviction filing levels were mostly steady during 2019, while the pronounced effect of the COVID-19 pandemic and related eviction moratoriums became apparent during 2020. Eviction filings resumed during the second half of 2020 at levels roughly 20 to 40 percent lower than similar periods during prior years. This is likely a reflection of the continued influence of pandemic-related precautionary measures. Even so, from public health and justice-oriented perspectives, the several thousand eviction cases filed during an ongoing pandemic should still be cause for alarm.

Furthermore, other available sources of eviction data, such as The Eviction Lab, primarily track case filings. However, our study has shown that case filings may not be the ideal measure of housing instability. Specifically, disparities in case outcomes should be considered when examining eviction trends. To better understand these trends in Marion County, we identified court cases in which the defendant—who was almost always the renter—received

an unfavorable judgement, a situation that likely resulted in an eviction. In Marion County, Center Township saw a significantly larger percentage of those cases (37 percent) than other areas during the past decade (Figure 2). These trends are also visible in Figure 3 and Figure 4 which show a greater proportion of eviction cases in the northern and eastern portions of Center Township, neighborhoods with relatively high concentrations of Black and Hispanic/Latinx populations.

FIGURE 2. Filings that resulted in an eviction (January 2010–March 2020)

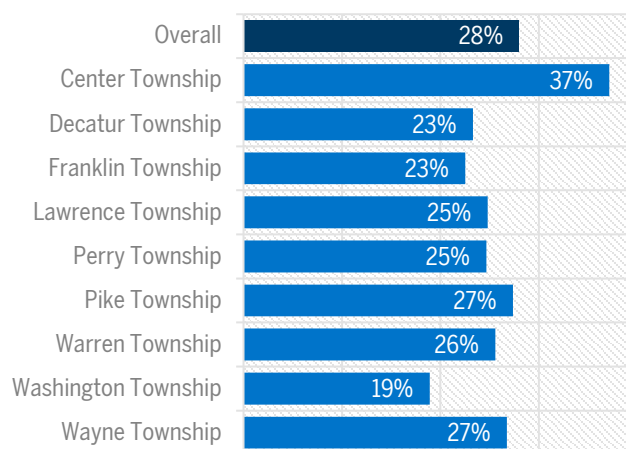
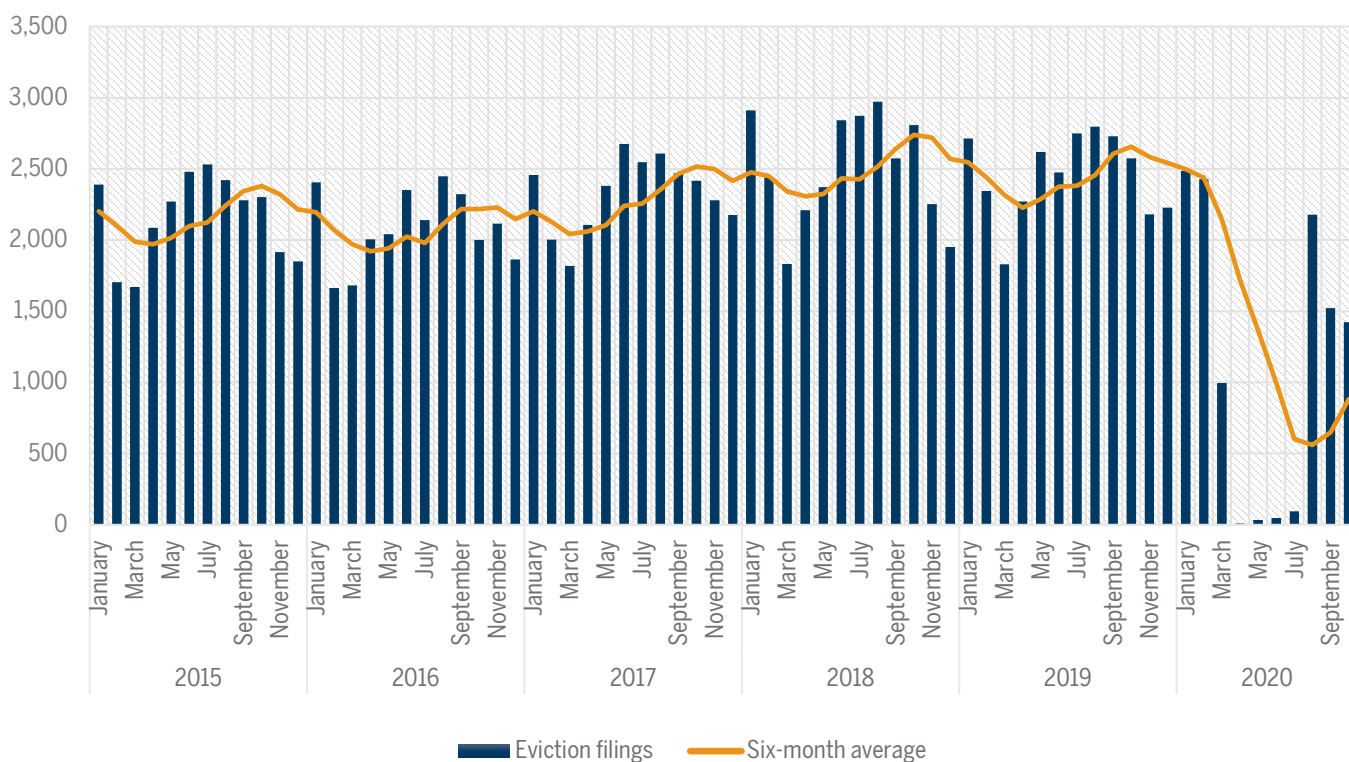


FIGURE 1. Monthly eviction filings in Marion County (January 2015–October 2020)



Sources: Data for 2015–2019 compiled by the research team from civil court filings. Data for 2020 from the Princeton University Eviction Lab.

FIGURE 3. Eviction filings in Marion County (2015–2019), annual filings per 10K households

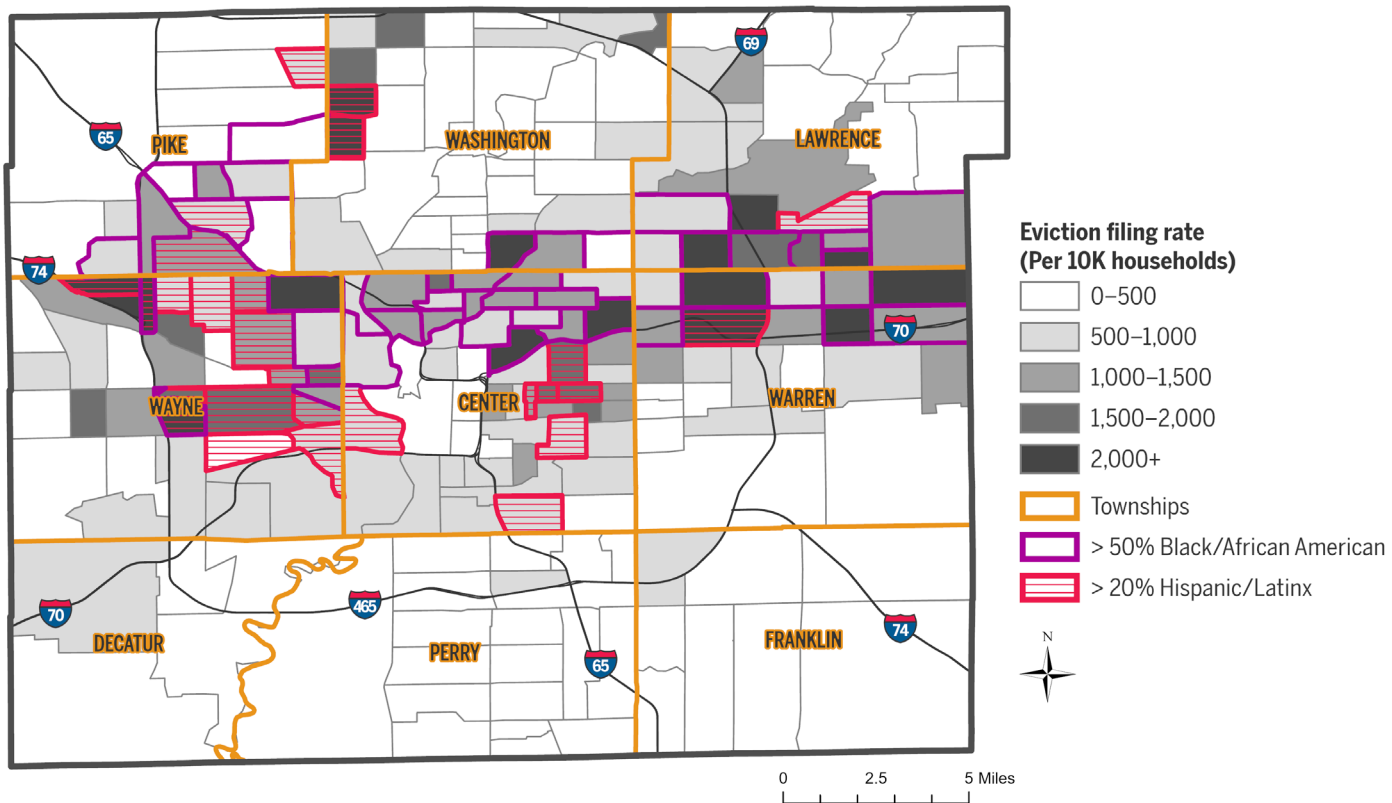
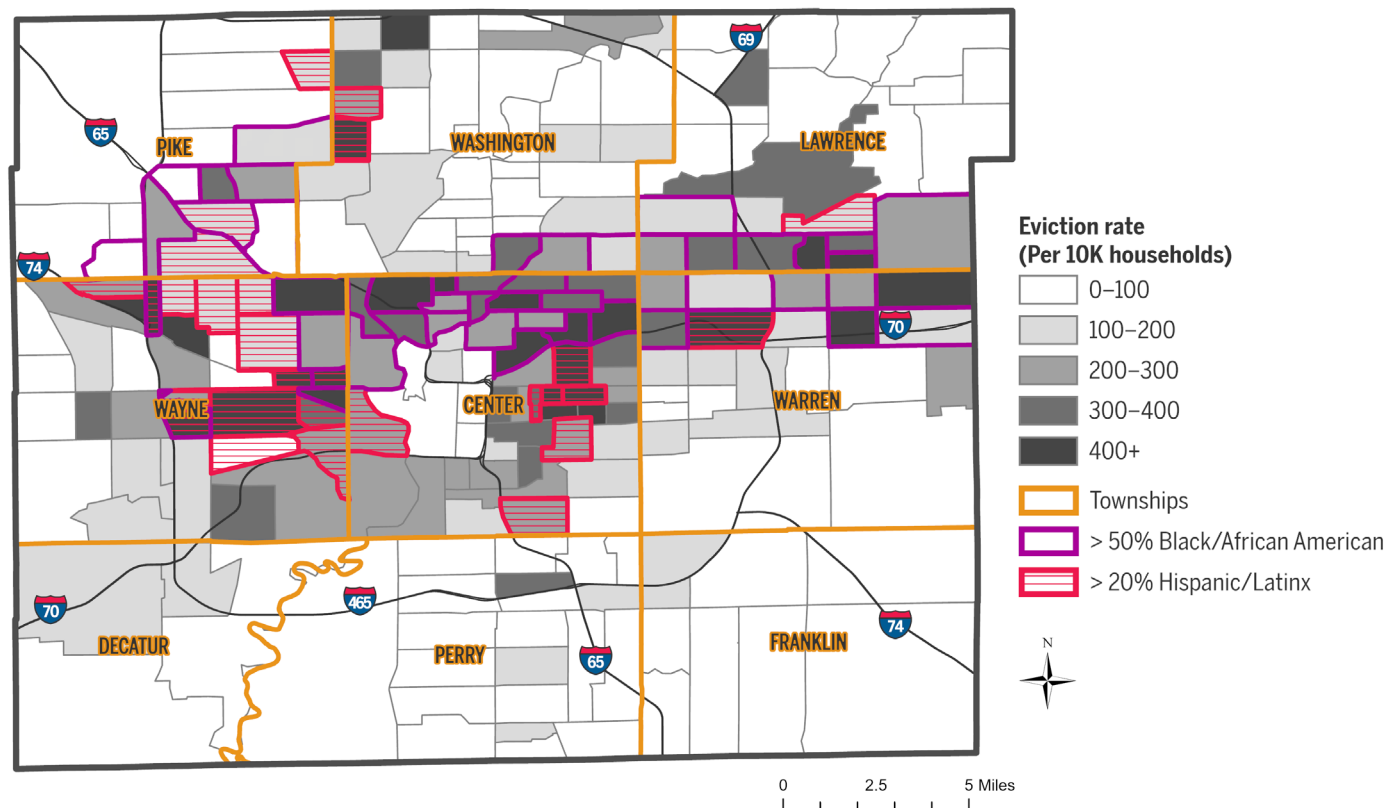


FIGURE 4. Evictions in Marion County (2015–2019), annual evictions per 10K households



To further assess the burden of evictions on these communities, we calculated eviction rates as the number of eviction filings and evictions per 10,000 households in each census tract in Marion County (Figure 3–4). We found that higher eviction rates are significantly associated with demographic characteristics like race and ethnicity. Both Black and Hispanic/Latinx communities are subject to higher numbers of eviction filings and evictions. In fact, during the past decade, the 15 census tracts with the highest eviction rates in Marion County were all majority-minority tracts.

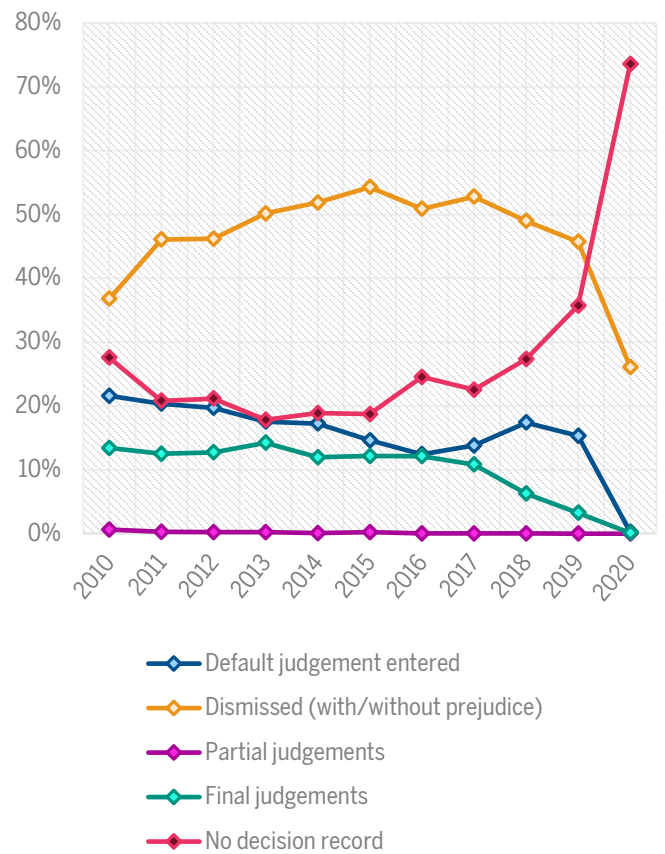
The areas discussed in this section are likely to continue to see elevated levels of eviction when the CDC eviction moratorium eventually expires.

DATA QUALITY

In several instances between 2010 and 2017, the data indicates that no eviction cases were filed in Pike, Perry, and Decatur township courts. However, according to defendant address records, small numbers of eviction cases in those areas were filed in other court jurisdictions. Even so, this discrepancy likely indicates some amount of missing data. Other instances of missing and incomplete data are also present within the existing sample records. For example, about 9 percent of all case records have no information on the judge who handled the case, and about 8 percent of all cases are still listed as pending—including 10 percent of all 2010 case filings.

The proportion of pending cases highlighted in Figure 5 may seem small, but this was consistent with trends observed among other sample variables. For example, nearly 25 percent of all cases have no record of a final decision. Case files without a decision record would be expected for pending and more recent cases. However, we would expect older cases to have been resolved and have a corresponding decision record. As seen in Figure 6, nearly 30 percent of 2010 cases did not have a record of a final decision, the highest figure until 2019 and a notably greater amount than the number of cases indicated as pending from that year. Put simply, each year, there are many cases that do not have a public record of a decision even though they appear to have been decided. Fluctuations in the case status (pending vs. decided) and decision (case judgement) information strongly indicate there may be data quality issues.

FIGURE 6. Judgements for eviction cases in Marion County (January 2010–March 2020)



IMPLICATIONS

HOUSING INSTABILITY & EVICTIONS

Evictions are profoundly disruptive for a wide variety of well-understood reasons. Families are disconnected from their communities and existing social ties. Children are often forced to change schools. Employment loss often either causes eviction or, conversely, is caused by eviction. The associated financial strains often include difficulty in accessing place-based public supports.³ Compounding the problem, each causative factor constitutes both a traumatic event and is ultimately a hindrance to recovery. It is well-known that landlords are typically not inclined to approve rental applications for people with an eviction record in their recent past.

Housing loss is also linked to a variety of other negative life outcomes, which, in some cases, carry severe consequences for individual health and well-being. Moreover, focusing solely on acute eviction events only tells one side of that

story. When experienced chronically, housing instability can be viewed through the same lens as other major public health issues. As such, housing is now widely regarded as one of—if not the—single most important social determinant of health.⁴

At the national level, issues of housing instability have become increasingly cyclical in recent years. Housing costs are largely market-driven in the United States, meaning that fluctuations in the broader economy may also cause housing instability. The boom-and-bust cycle and its impact on housing was clear in the wake of the 2007–2008 housing crisis and during the subsequent Great Recession. More than 11 million U.S. households—about 30 million people—suffered through a foreclosure, and millions more endured evictions because of the associated economic downturn. Similar to the issues with public data on evictions, breakdowns in the foreclosure documentation process played a significant role in exacerbating that housing crisis, making the true scope of its toll impossible to discern.⁵

Meanwhile, pressures from rising downtown property values have driven a rapidly escalating housing affordability crisis in cities across the United States. Marion County has one of the highest eviction rates in Indiana, and Indianapolis has one of the highest eviction rates among all large U.S. cities.⁶ In fact, nearly half of all renter households in Marion County experienced some degree of rent burden prior to the pandemic.⁷ Meanwhile, real estate values downtown and in the central part of the city continue to rise along with the standing and prospects of higher-income households, while those on the lower end of the economic spectrum—many of whom work in the industries hardest hit by COVID-19—have accumulated staggering amounts of unpaid back rent.⁸ In the context of a pandemic recession that is being experienced in a highly polarized and inequitable manner, these simultaneous trends have the potential to produce a perfect storm of housing instability.

DATA QUALITY & AVAILABILITY

Our research team dedicated a significant amount of time and resources to build a database of eviction filings and to make determinations about which cases resulted in eviction. Other stakeholders cannot be expected to have a similar level of available time and resources, making this otherwise publicly available data source functionally unavailable for use by the public. This dynamic can act as a

barrier to fully informed and timely decision making about issues of housing instability. Moreover, the data gaps and inconsistencies discussed earlier may further erode the ability for policy makers and others to fully understand and act to address those issues.

Other municipalities and states have more developed recordkeeping and data-sharing capabilities in place. Marion County and Indiana communities would stand to benefit from a greater investment in these systems, as they would enable more timely identification of discriminatory behaviors, problematic landlords, and other issues of housing instability. Further, it must be noted that these issues almost always disproportionately affect communities of color. Just because these events are partially shrouded by a fog of inconsistent, unavailable, and inadequate data does not make them any less real.

CONCLUSIONS

This survey of evictions in Marion County has highlighted trends in eviction rates and housing instability in Marion County during the past decade. The findings were largely consistent with a wide body of existing literature that establishes housing instability as a highly differentiated phenomenon, with disparate impacts that are far too often described by familiar delineations of race, ethnicity, and class.

This baseline information provides an important benchmark for local policy makers, stakeholders, and public health interests as they continue to guide the local response to the COVID-19 pandemic. There is some evidence that the predicted wave of COVID-19 evictions is already building, but if it crashes at any point during 2021, the Marion County communities identified in this brief are very likely to require additional support and resources.

While this exploratory study has created a valuable database containing 10 years of eviction filings in Marion County, data inconsistency, lack of availability, and other shortcomings pose an ongoing challenge. Researchers, policy makers, and other stakeholders cannot be assured a genuine understanding of housing instability issues without timely, accurate, and complete reporting of relevant data. Finally, it is important to note that the eviction data discussed in this brief is only a surface-level indicator

of housing instability and its associated trials. As noted earlier, eviction filings fail to capture the totality of struggle and harm that is associated with living amid a persistent cloud of housing instability.

METHODOLOGY

In partnership with the Fair Housing Center of Central Indiana, the research team obtained public records of civil court filings through the Indiana Office of Judicial Administration. This data includes more than 1.5 million unique cases filed during the past 20 years. We isolated eviction-related records and further narrowed our sample to include only records from cases filed between 2010 and the beginning of Indiana's eviction moratorium in April 2020. The sample that resulted included more than a quarter-million eviction-related cases.

This approach was validated by comparing our eviction data for the first three months of 2020 with that of the Princeton University Eviction Lab. No significant differences were discovered during that period—the two data sets were 98 percent similar. We then used case identification numbers to compile additional information from other public databases about our sample of eviction cases.

To characterize cases that ultimately resulted in an eviction, we identified cases in which the defendant received an unfavorable judgement. This determination required the research team to use a variety of search algorithms to compare defendant and plaintiff information to the parties receiving favorable or unfavorable judgements in the case. It should be noted that the matching procedure used here is virtually certain to have resulted in an undercount. Cases were only characterized as evictions when a finding against the defendant could be affirmatively identified. That said, there is no reason to suspect any systemic bias from the matching process.

ACKNOWLEDGEMENTS

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